

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

HOLLY WETHINGTON and)
MAKENZIE WETHINGTON,)

Plaintiffs,)

V.

Case No. CIV-14-899-D

ROBERT SWAINSON, d/b/a)
PEGASUS AIRSPORT CENTER,)

Defendant.)

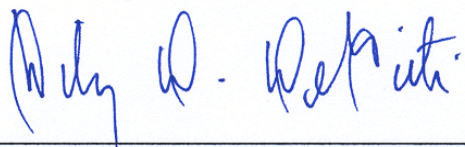
ORDER

Defendant has filed a Motion to Reconsider [Doc. No. 50], which asks the Court to reconsider its previous orders (1) granting and denying in part Defendant's motion for Summary Judgment [Doc. No. 43], (2) granting Plaintiff's Motion to Strike Defendant's Expert Witnesses [Doc. No. 48] and (3) denying Defendant's *Daubert* motion [Doc. No. 49]. A motion to reconsider is appropriate where the court has misapprehended the facts, a party's position, or the controlling law. *Servants of Paraclete v. John Does I-XVI*, 204 F.3d 1005, 1012 (10th Cir. 2000). It should not be used to revisit issues already addressed or advance arguments that could have been raised earlier. *Id.*

Defendant's motion contains arguments that were either (1) previously considered and rejected (his arguments regarding summary judgment and the

admissibility of Plaintiffs' proposed expert testimony) or (2) could have been raised earlier (his response to Plaintiff's motion to strike his proffered experts). Thus, his motion is overruled. Although Defendant cites his pro se status and lack of knowledge regarding civil procedure, he is reminded again that his pro se status does not excuse him from familiarizing himself with, and following, the Federal Rules of Civil Procedure, the Local Rules of this District, and the Court's sRules. *See Nielsen v. Price*, 17 F.3d 1276, 1277 (10th Cir.1994) ("This court has repeatedly insisted that pro se parties 'follow the same rules of procedure that govern other litigants.'" (citations omitted)). Defendant has presented no evidence showing that the Court has either misapprehended the facts, Defendant's position, or the controlling law; nor has Defendant established any other good cause for reconsideration, and therefore, the motion is **DENIED**.

IT IS SO ORDERED this 29th day of April, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE